

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 GREG SMITH,

Case No.: 2:25-cv-00525-APG-DJA

4 Plaintiff

**Order**

5 v.

6 CITY OF NORTH LAS VEGAS, et al.,

7 Defendants

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9 In this removed case, Greg Smith, counseled, brings this civil-rights action under 42  
10 U.S.C. § 1983 for events that took place while he was incarcerated at the North Las Vegas  
11 Correctional Facility. ECF No. 1-1. Smith is no longer incarcerated<sup>1</sup>, and defendants have paid  
12 the \$405 filing fee for this civil action. *See* ECF No. 1 (docket entry).

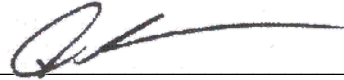
13 In light of Smith's non-incarceration and the payment of the filing fee, I am no longer  
14 required to screen this case. *See generally* 28 U.S.C. § 1915A (the plaintiff is no longer a  
15 prisoner within the meaning of the statute); *see Olivas v. Nevada ex rel. Dep't of Corr.*, 856 F.3d  
16 1281, 1282 (9th Cir. 2017) (holding that "28 U.S.C. § 1915A applies only to claims brought by  
17 individuals incarcerated at the time they file their complaints"); *see Lopez v. Smith*, 203 F.3d  
18 1122, 1126, 1129 (9th Cir. 2000) (recognizing that screening under 28 U.S.C. § 1915(e) applies  
19 to actions filed *in forma pauperis* whether or not the plaintiff is incarcerated). This case will  
20 now proceed onto the normal litigation track.

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23 <sup>1</sup> According to the offender databases for the North Las Vegas Correctional Facility, Clark County Detention Center, and Nevada Department of Corrections, Smith is not in custody at any of those facilities.

1 I THEREFORE ORDER that this case will proceed onto the normal litigation track.

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3 Dated: March 26, 2025

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5 Andrew P. Gordon  
6 Chief United States District Judge  
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